

REMARKS

Applicant thanks the examiner for pointing out the allowable subject matter and respectfully requests reconsideration of this application and consideration of the following remarks.

Claims 50-54, 61-65 and 72-76 were withdrawn from consideration through constructive election. No claims are amended, or added. Thus, claims 1-16, 18-19, 21-49, 55-60, 66-71 and 77-82 are pending.

Claims 1-16, 18-19, 21-49, 55-60, 66-71 and 77-82 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,061,062 and over claims 1-5 of U.S. Patent No. 6,366,303. Without admitting the propriety of the rejections, Applicant submits a terminal disclaimer to overcome the rejections under the judicially created doctrine of obviousness-type double patenting.

Claims 55-60, 66-71 and 77-82 were rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The examiner indicated in the Office Action that the claimed term "parameter" is a broad term whose scope was not conveyed by the specification.

However, the specification clearly contains descriptions of the control of different *parameters*. For example, on page 11 of the specification, lines 6-12, it is described that:

“In the currently preferred embodiment, the mouse not only controls a cursor position on a display screen, but it can also be made to control two different parameters. The way in which this is accomplished is by "remapping" the mouse's axes from controlling the x and y-axes cursor movements to, instead, controlling two parameters. When an axis of the mouse is remapped to a parameter, motion in that axis no longer moves the cursor. Instead, it controls the parameter.” (Emphasis added)

Further, on page 13 of the specification, lines 1-3, it is described that:

“In the preferred embodiment of the present invention, one parameter corresponds to a scale and the other parameter corresponds to an increment within the scale's range.”

The term “parameter” is clearly and explicitly recited in many locations in the specification (e.g., lines 8, 10, 11, 12, 18, 20 and 23 on page 11; lines 8, 12, 15, 16, 17, 19 and 23 on page 12; lines 1, 2 and 11 on page 13; and others); and thus, it is erroneous to conclude that it was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The invention as claimed by claims 55-60, 66-71 and 77-82 is clearly described and supported by the description of the present application. Thus, the withdrawal of the rejection under 35 U.S.C. 112, first paragraph is respectfully requested.

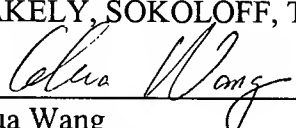
Applicant respectfully submits that the pending claims are patentable and are in condition for allowance.

Please charge any shortages or credit any overages to Deposit Account No. 02-2666.
Furthermore, if an extension is required, Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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Lehua Wang
Reg. No. 48,023

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300